

City of Bel Aire, Kansas
UTILITY POLICY

The following policies represent a working document which addresses the actions and responses to utility issues associated with the Bel Aire utility system. The information is amended and approved by the City Council from time to time to meet the comprehensive nature of municipal utility service.

1. User Definitions:

For the purposes of classification of customers and assigning rate structures, a Residential customer is defined as a single-family or multi-family structure being utilized as a residence and not primarily for commercial or industrial activity; zoning classes R1 – R5. Commercial customers are defined as any structure whose primary function is commercial or industrial activity; zoning classes C1- M1. Medical care facilities and schools shall be charged the commercial rates.

2. Ownership & Responsibility:

The water meter shall represent the division of ownership and responsibility between the City of Bel Aire and the water consumer. All water that passes through the meter shall be the responsibility of the consumer. In addition, all water used or leaked and all water piping on the consumer side of the meter shall be the responsibility of the consumer. The city shall be responsible only for the water and maintenance of piping from the meter to the water main. The City will provide a 30 day warranty on all new construction pigtailed to ensure correct installation, function, and any defects in the device.

3. Water Meter Installation and Maintenance:

The City shall install, maintain and replace the meter including, at times, the installation of a pigtail on the consumer side of the meter to accommodate the connection of the consumer water service line to the consumer's structure. The consumer's plumber shall attach the service line to the meter and/or pigtail, which shall be tested by the plumber, inspected and approved by the City. After meter installation, the City or its subcontractor shall perform meter maintenance and replacement of the water meter.

Residential meters have a ten (10) year effective life. If a residential consumer requests replacement of the meter during the normal life span of the meter, replacement shall be charged to the consumer. Normal residential meter replacement shall be an integral part of water rates. The cost of commercial meters, both new and replacements shall be at the cost of the commercial consumer. Any damage to the meter or the radio on the meter will be repaired/replaced by the city and charged to the consumer. However, for residential consumers the first offense receives a verbal or letter of warning and any time after that should the meter or radio on the meter be damaged, the replacement costs will be billed to the consumer.

4. Utility Equity Fee:

All new build residential and commercial property will be assessed a Utility Equity fee. The fee is determined as part of the permitting process and is based on size as well as use of the structure. Fees shall be established by the City Council in a separate Fee Resolution. Utility Equity Fees help pay to maintain the sewer and water system such as main repairs/replacements, water towers and treatment facilities.

5. Impact Fees:

Certain areas may be assessed an impact fee for the use of water and sewer mains. Such fees shall be assessed from a benefit district.

6. Water & Sewer Connection Fees:

A connection fee shall be required for new water and sewer customers with already established system connections. Customers establishing new services requiring installation of new water and sewer service lines will be assessed fees for connection, meter, installation and water system taps. All fees must be paid before water and sewer service will begin. Such fees shall be established in a separate Fee Resolution

7. Water & Sewer Reconnection Fee:

A reconnection fee shall be charged for each reconnection of a water and sewer service. The water consumer shall arrange a meeting at which time the meter shall be turned on and the system inspected for leaks. Water cannot be turned on in a vacant structure unless the City can confirm that a valve outside of the structure has closed off the water supply to the structure. Reconnection fees will not apply to customers moving to another location within the City limits. Such fees shall be established in a separate Fee Resolution.

8. Late Fee:

Utility bills are due upon receipt by the consumer. ***Full payment is required each month, which includes all water used and any late payment due.*** Late payment shall be issued on all water bills not paid by the ***10th of each month by 5:00 p.m.*** If the 10th of the month falls on a weekend or City holiday, the consumer must deposit their payment in the City drop-off box no later than 8:00 a.m. the first City working day following the 10th.

The City is not responsible for payments delayed in the mail or not received by the deadlines noted above. A late fee is equal to 10% of the overdue amount, compounded monthly. Failure to pay the late fee will result in termination of utility service.

9. Late Fee Waiver:

Utility late fees may be waived once per calendar year by the Utility Clerk, subject to the assessment of the customer's billing history. The City Manager may waive a second late fee per calendar year based on extenuating circumstances. All decisions by the City Manager are final.

10. Delinquent Utility Bills & Shut-Off Notice:

Any consumer that has not paid their utility bill for services provided by the City by the 12th of each month shall be subject to water shut-off. The City shall mail each consumer a disconnection notice that requires full payment or arrangements thereof within at least seven (7) working days. Without such payment or arrangements for payment by the noted disconnect day on the letter, the city shall terminate utility service. If a consumer moves out of a structure without full payment, the City will submit the outstanding bill to the Kansas Set Off program for collection.

11. Prorated Charges for New Customers:

New customers beginning service after the 15th of the month will have utility charges deferred for the first month until the first full billing cycle is completed. Customers will still pay the full base fee and consumption charges for partial month's service, bills will not be prorated.

12. Payment Plan Arrangements:

In special situations, the Utility Clerk may approve a payment plan to pay for utility services over a period of time. The intent of this authority is to assist the consumer that has incurred a unique situation. The 10% penalty fee shall be waived under an approved payment plan.

13. Shut-off/Turn-on Fee Charges:

The City shall charge a fee for shutting off the water for non-payment of the utility bill. The utility bill shall be paid in full prior to the water turn-on, including but not limited to, the water bill, turn-off and turn-on fees, and late payment penalty fee. The Utility Clerk has the ability to waive the disconnect and/or reconnect fee one time per calendar year, subject to the assessment of the customer's billing history. Such fees shall be established in a separate Fee Resolution. If an account has been shut off for non-payment and the resident reconnects themselves without paying the fees the account will be shut off and locked and be charged an additional disconnect/reconnect fee.

14. Absentee Consumer:

A consumer absent for more than 2 consecutive months may request in writing that the City place the consumer on vacation. Base pay will be charged each month while on vacation.

Residential customers who notify the Utility Clerk of extended absences during the months when the Winter Average Consumption (WAC) is computed will be assessed the average City-wide WAC or the 12 month average from the previous year for the customer, whichever consumption rate is lower.

15. Returned Checks:

A returned check fee shall be assessed for each returned check or returned ACH payment. Such fees shall be established in a separate Fee Resolution. Accounts will be placed on a cash,

money order, credit card or debit card basis only for 6 months if a check is returned, if two checks are returned in a year period that account will be placed on cash, money order, credit card or debit card basis for the next year. If a payment is returned for any reason as payment for a non-pay disconnection, the account will be disconnected and be placed on cash or money order only.

16. Water Requirements:

All residents residing in the City of Bel Aire are required to utilize Bel Aire water and sewer services. Private wells are allowed, but must be registered and permitted through Sedgwick County; the City will issue permits for electrical connections to private wells through the building permit process. All private wells must have physical separation from the City potable water supply.

17. Water Meter Accessibility:

Water meters are read monthly. Access to read the water meter is the responsibility of the consumer. Consumers must not prevent or restrict access to meters through individual actions. City employees unable to access the meter shall estimate the meter read with a 10% increase over the previous month's reading. No consumer shall be permitted to have two consecutive estimated meter readings. Arrangement for actual reads shall be required or the City will proceed to turn-off the meter. All fees and costs associated with obtaining the final read shall be charged to the consumer.

18. Water Meter Service Appointment Required:

The consumer shall make an appointment between normal City operating hours of 8:00am to 5:00pm Monday through Friday to turn the water on or off and provide no less than 24 hours' notice before such activity takes place. The consumer or their representative shall be on-site when service is provided to ensure that the water system is operating properly. Arrangement for this service can be obtained from the Utilities Department at City Hall, 7651 E. Central Park Ave. or call 744-2451 ext. 132.

19. Meter Re-Reads and Leak Detection:

City personnel are available with a 24-hour notice to assist the consumer in re-reading a meter to confirm the accuracy of the meter reading or to inspect the consumer area for possible leaks. Arrangement for re-read and/or leak inspection shall be made by contacting the Utilities Department at City Hall, 7651 E. Central Park Ave. or call 744-2451 ext. 132.

Except in emergencies, the City will provide one (1) re-read service per year to confirm the correct meter read and/or one (1) water system inspection per year on the consumer side of the meter to determine possible leaks. The City does not provide repair or maintenance service to the consumer and/or his/her contractor to detect any leak in the consumer system. Any additional inspection or re-read over the one authorize by policy shall be charged to the consumer water bill. Said fee shall be established in a separate Fee Resolution.

20. Water Leak Liability:

The City is not liable for any water that passes through the meter that may leak or escape appropriate and intended use by the consumer. **If the water goes through the meter, the consumer is liable for the water and will be billed.**

In the event of a reported and/or discovered leak by City staff on the consumers system, the consumer has fourteen (14) days to have the leak repaired or service will be shut off until repairs are made. Depending on the severity of the leak, shut-off timeframes may be adjusted.

In unique and rare instances as determined by the City Manager, a consumer may submit written testimony describing the unique character associated with a disputed usage or billing. Upon review of the information and within 15 days, the City Manager shall provide a written determination to the applicant with a final conclusion of the situation, without appeal.

21. Water Shut-Off Authority:

City ordinance **prohibits** the right of anyone to turn-on or shut-off the water to any building or consumer, unless authorized by the City of Bel Aire.

22. Consumer Shut-Off Valve:

The City requires each consumer to have an operational shut-off valve installed and maintained at the head of their water system between the meter and the first water outlet that can be used as an emergency shut-off in times where the homeowner/renter need to respond to any emergency. The City shall not be liable for any damages created because a valve was not installed or installed incorrectly.

23. Use of Hydrant Water:

Water used from a hydrant requires the purchase of a permit obtained at City Hall. The water user shall install or have installed a meter provided by the City that will measure the use of all water. The water user shall pay a fee per 1,000 gallons or parts thereof. Licensed contractors and homeowners are prohibited from accessing hydrant water, unless it is for a specifically sanctioned municipal activity. A permit fee is required at the time of permit issuance for use of the City's meter with said permit valid for no more than 90 days from date of issuance. The water user shall be required to pay for the balance of the water used upon return of the meter and the calculation of the water use. Such fees shall be established in a separate Fee Resolution.

Government, not-for profit and similar agencies in need of hydrant water, including the fire department shall make arrangement to use a designated hydrant for non-emergency purposes and such hydrant shall be metered to determine usage.

24. Backflow Prevention:

Backflow prevention is required for sprinkler systems and must be tested annually. A report of the test must be given to the City by **April 1st** of each year to document that the backflow device has been tested and is working properly.

Backflow prevention devices are also required for basement connections to sanitary sewer lines, but are not subject to yearly inspection and certification.

25. Lawn Irrigation

Any lawn irrigation system must have a back flow prevention device. Said device must be inspected annually and certificate given to City Hall. Water service may be stopped if backflow prevention devices are not certified. Such devices insure the safe drinking water of all citizens. A second meter only for lawn irrigation may be installed at the expense of the consumer. All water fees will be charged but no sewer fees for an irrigation only meter.

26. Sanitary Sewer Requirement:

All residents residing within the corporate city limits of Bel Aire will be required to utilize the City's sanitary sewer system.

27. Winter Average Computation (WAC):

The winter average consumption (WAC) will be calculated during the months of December, January and February based on the water consumption for those months.

A new customer with no billing history at a residence will be allowed to choose from the options below:

Option A Pay a sewer fee monthly equal to the volume of water used during that same time period. This is effective until a WAC can be calculated.

Option B Pay a base sewer charge of 5,000 gallons per month until a WAC is calculated.

Option C An unoccupied home may pay for 1,000 gallons of sewer per month until the home is occupied or the WAC is calculated.

A new customer may change from one option to another once during the time period the options are in place and until the WAC is calculated. However, no credit will be given for previous option chosen.

If a customer has a water leak during the calculation of the winter average, then the average may be re-calculated based on the previous year's average for those same months. However, the customer must provide evidence that the leak was repaired in the form of an invoice or bill for parts during that same time period. WAC will not be adjusted if the consumer has additional guests during the months of the WAC calculation period.

28. Sanitary Sewer Discharges:

No person shall discharge or cause to be discharged any storm water, groundwater, roof-runoff, subsurface drainage, uncontaminated cooling water or unpolluted waters into any sanitary sewer. Tapping of sanitary sewer lines to connect sump pumps for discharge is prohibited and may result in a fine to the account holder.

The City of Bel Aire enforces the suggested Federal standards for discharges. No person shall discharge or cause to be discharged to a public sewer which directly or indirectly connects to the City's wastewater system, the following wastes:

- Any gasoline, benzene, naphtha, solvent, fuel oil or any liquid, solid or gas that would cause or tend to cause flammable or explosive conditions to result in the wastewater system.
- Any wastes containing toxic or poisonous solids, liquids or gases in such quantities that, alone or in combination with other wastes substances, may create a health hazard for humans, animals or the local environment, interfere detrimentally with wastewater treatment processes, causes a public nuisance, or cause any hazardous condition to occur in the wastewater system.
- Any waste having a pH lower than 6.0 or higher than 9.5 Standard Units or having any corrosive or detrimental characteristic that may cause injury to wastewater treatment or maintenance personnel or may cause damage to structures, equipment or other physical facilities of the wastewater system.
- Any solids or viscous substances of such size or in such quantity that they may cause obstruction to flow in the sewer or be detrimental to proper wastewater treatment plant operations. These objectionable substances include, but are not limited to, asphalt, dead animals, offal, ashes, sand, mud, straw, industrial process shavings, metal, glass, rags, feathers, tar, wood, whole blood, paunch manure, bones, hair and fleshings, entrails, paper dishes, paper cups, milk containers, or other similar paper products, either whole or ground.
- Any rainwater, storm water, groundwater, street drainage, subsurface drainage, roof drainage, yard drainage, water from yard fountains, ponds, lawn sprays, R.V. storage tanks or any other uncontaminated water.
- Any discharges having a temperature higher than 150 degrees Fahrenheit (65 degrees Celsius) or any wastewater having a temperature which will inhibit biological activity in the wastewater treatment plant resulting in interference. In no circumstances shall wastewater have a temperature at the introduction of the wastewater treatment plant greater than 104 degrees Fahrenheit (40 degrees Celsius).
- Any discharge containing more than 100 mg/l of oil or grease.
- Any strongly odorous waste tending to create odors.
- Any substance promoting or causing the promotion of toxic gases.

- Any wastes containing an excessive quantity of chlorine or other chemical compound used for disinfection purposes.
- Any excessive amounts of de-ionized water, steam condensate, distilled water or single pass cooling water.
- Any radioactive waste of such half-life or concentrations as may exceed limits established by the state or federal regulations.
- Any pollutants, including oxygen demanding pollutants, released in a discharge at a flow rate and/or pollutant concentration which will cause interference with the natural process of the water treatment facility.
- Any petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts that cause pass through, interference or inhibition at wastewater treatment plant.

29. Utility Rates

Current utility rates are set by Resolution and are on file with the City Clerk and the Utility Clerk.

30. Trash and Recycling

Residents are free to choose their own trash service or enroll in the City's trash program with the contracted trash hauler. Recycling participation is optional, however, recycling fees are assessed regardless of participation. Said fees are established in a separate Fee Resolution.

Adopted this 18th day of August 2015 by the Bel Aire City Council.


Jamie Hayes, City Clerk


David Austin, Mayor